CHAPTER IV.

OPINIONS OF PHILOSOPHERS.

DR. SWIFT.

THE authority of legislators and philosophers, in support of the system we contend for, is not difficult to find. The greatest lights of humanity, ancient and modern, have approved it, which renders it difficult to explain how it comes, in this enlightened age, to be called in question, as it certainly has been, by others as well as M. Turgot. I shall begin with one, who, though seldom quoted as a legislator, appears to have considered this subject, and to have furnished arguments enough forever to determine the question. Dr. Swift observes,* "that the best legislators of all ages agree in this, that the absolute power, which originally is in the whole body, is 'a trust too great to be committed to any one man or assembly;' and, therefore, in their several institutions of government, power, in the last resort, was always placed by them in balance among the one, the few, and the many; 'and it will be an eternal rule in politics among every free people, that there is a balance of power to be carefully held by every state within itself.'

"A mixed government, partaking of the known forms received in the schools, is by no means of Gothic invention, but hath place in nature and reason, and seems very well to agree with the sentiments of most legislators. . . . For, not to mention the several republics of this composition in Gaul and Germany, described by Cæsar and Tacitus, Polybius tells us, the best government is that which consists of three forms, *regis, optimatium, et populi imperio.*† Such was that of Sparta in its primitive institution by Lycurgus, who, observing the corruptions and depravations to which every one of these was subject, com-

* "*A Discourse of the Contests and Dissensions between the Nobles and Commons of Athens and Rome, with the Consequences they had upon both those States.*"

Much of the substance of this, the best of all the political tracts of Dean Swift, is given in the text.

† *Fragm.* lib. vi.

pounded his scheme out of all; so that it was made up of *reges, seniores, et populus.* Such also was the state of Rome under its consuls; and such, at Carthage, was the power in the last resort; they had their kings, senate, and people." A limited and divided power seems to have been the most ancient and inherent principle, both of the Greeks and Italians, in matters of government. "The difference between the Grecian monarchies and Italian republics was not very great. The power of those Grecian princes, who came to the siege of Troy, was much of a size with that of the kings of Sparta, the archon of Athens, the suffetes at Carthage, and the consuls at Rome." Theseus established at Athens rather a mixed monarchy than a popular state, assigning to himself the guardianship of the laws and the chief command in war. This institution continued during the series of kings to the death of Codrus, from whom Solon was descended,

"Who, finding the people engaged in two violent factions, of the poor and the rich, and in great confusion, refusing the monarchy which was offered him, chose rather to cast the government after another model, wherein he made due provision for *settling the balance of power*, choosing a senate of four hundred, and disposing the magistracies and offices according to men's estates; leaving to the multitude their votes in electing, and the power of judging certain processes by appeal. This council of four hundred was chosen, one hundred out of each tribe, and seems to have been a body representative of the people, though the people collective reserved a share of power to themselves."

"In all free states, the evil to be avoided is tyranny; that is to say, the *summa imperii*, or unlimited power, solely in the hands of the one, the few, or the many."

"Though we cannot prolong the period of a commonwealth beyond the decree of heaven or the date of its nature, any more than human life beyond the strength of the seminal virtue, yet we may manage a sickly constitution, and preserve a strong one; we may watch, and prevent accidents; we may turn off a great blow from without, and purge away an ill humor that is lurking within; and, by these and other such methods, render a state long-lived, though not immortal. Yet some physicians have thought, that if it were practicable to keep the several humors of

the body in an exact *balance* of each with its opposite, it might be immortal; and so perhaps would a political body, if the *balance of power* could be always held exactly even."

All independent bodies of men seem naturally to divide the three powers, of the one, the few, and the many. A free people met together, as soon as they fall into any acts of civil society, do of themselves divide into three ranks. "The first is that of some one eminent spirit, who, having signalized his valor and fortune in defence of his country, or, by the practice of popular arts at home, comes to have great influence on the people, to grow their leader in warlike expeditions, and to preside, after a sort, in their civil assemblies. And this is grounded upon the principles of nature and common reason, which, in all difficulties or dangers, where prudence or courage is required, do rather incite us to fly for counsel or assistance to a single person, than a multitude. The second is, of such men, who have acquired large possessions, and, consequently, dependencies, or descend from ancestors who have left them great inheritances, together with an hereditary authority; these, easily uniting in opinions, and acting in concert, begin to enter upon measures for securing their properties, which are best upheld by preparing against invasions from abroad and maintaining peace at home; this commences a great council or senate for the weighty affairs of the nation. The last division is of the mass of the people, whose part of power is great and indisputable, whenever they can unite, either collectively or by deputation, to exert it."

"The true meaning of a balance of power is best conceived by considering what the nature of a balance is. It supposes three things, — first, the part which is held, together with the hand that holds it; and then the two scales, with whatever is weighed therein. . . . In a state within itself, the balance must be held by a third hand, who is to deal the remaining power with the utmost exactness into the several scales. . . . The balance may be held by the weakest, who, by his address and conduct, removing from either scale and adding of his own, may keep the scales duly poised.

"When the balance is broken by mighty weights fallen into either scale, the power will never continue long, in equal division, between the two remaining parties; but, till the balance is fixed anew, will run entirely into one." This is made to appear

by the examples of the Decemviri in Rome, the Ephori in Sparta, the four hundred in Athens, the thirty in Athens, and the Dominatio Plebis in Carthage and Argos.

"In Rome, from the time of Romulus to Julius Cæsar, the commons were growing by degrees into power, gaining ground upon the patricians, as it were, inch by inch, till at last they quite overturned the balance, leaving all doors open to popular and ambitious men, who destroyed the wisest republic, and enslaved the noblest people that ever entered on the stage of the world.

"Polybius tells us, that in the second Punic war, the Carthaginians were declining, because the balance was got too much on the side of the people; whereas the Romans were in their greatest vigor, by the power remaining in the senate."

"The ambition of private men did by no means begin or occasion the war between Pompey and Cæsar, though civil dissensions never fail of introducing and spiriting the ambition of private men; . . . for, while the balance of power is equally held, the ambition of private men, whether orators or commanders, gives neither danger nor fear, nor can possibly enslave their country; but that once broken, the divided parties are forced to unite each to its head, under whose conduct or fortune one side is at first victorious, and at last both are slaves. And to put it past dispute, that the entire subversion of Roman liberty was altogether owing to those measures which had broken the balance between the patricians and plebeians, whereof the ambition of private men was but an effect and consequence, we need only consider, that when the uncorrupted part of the senate, by the death of Cæsar, made one great effort to restore the former liberty, the success did not answer their hopes; but that whole assembly was so sunk in its authority, that those patriots were forced to fly, and give way to the madness of the people, who by their own dispositions, stirred up with the harangues of their orators, were now wholly bent upon single and despotic slavery. Else how could such a profligate as Antony, or a boy of eighteen, like Octavius, ever dare to dream of giving the law to such an empire and people? Wherein the latter succeeded, and entailed the vilest tyranny that Heaven, in its anger, ever inflicted on a corrupt and poisoned people." [1]

[1] "It was the throne of the dragon, that is, of the devil and his angels, whose dominion was permitted by the Almighty, and foretold by his prophets." S.

It is "an error to think it an uncontrollable maxim, that power is always safer lodged in many hands than in one; for if these many hands be made up only from one of those three divisions, it is plain, from the examples produced, and easy to be paralleled in other ages and countries, that they are as capable of enslaving the nation, and of acting all manner of tyranny and oppression, as it is possible for a single person to be, though we should suppose their number not only to be of four or five hundred, but above three thousand.

"In order to preserve a balance in a mixed state, the limits of power deposited with each party ought to be ascertained and generally known. The defect of this is the cause that introduces those strugglings in a state about prerogative and liberty; about encroachments of the few upon the rights of the many, and of the many upon the privileges of the few; which ever did, and ever will, conclude in a tyranny; first, either of the few or the many, but at last, infallibly, of a *single person;* for, whichever of the three divisions in a state is upon the scramble for more power than its own, (as one or other of them generally is,) unless due care be taken by the other two, upon every new question that arises, they will be sure to decide in favor of themselves, talk much of inherent right; they will nourish up a dormant power, and reserve privileges *in petto*, to exert upon occasions, to serve expedients, and to urge upon necessities; they will make large demands and scanty concessions, ever coming off considerable gainers. Thus, at length, the balance is broken, and tyranny let in; from which door of the three it matters not.

"The desires of men are not only exorbitant, but endless; they grasp at all, and can form no scheme of perfect happiness with less. Ever since men have been united into governments, the hopes and endeavors after universal monarchy have been bandied among them. . . . The Athenians, the Spartans, the Thebans, and the Achaians, several times aimed at the universal monarchy of Greece; the commonwealths of Carthage and Rome affected the universal monarchy of the then known world. In like manner has absolute power been pursued by the several parties of each particular state; wherein single persons have met with most success, though the endeavors of the few and the many have been frequent enough; yet, being neither so uniform in their designs, nor so direct in their views, they neither could manage

nor maintain the power they had got, but were deceived by the popularity and ambition of some single person. So that it will be always a wrong step in policy, for the nobles and commons to carry their endeavors after power so far as to overthrow the balance.

"With all respect for popular assemblies be it spoken, it is hard to recollect one folly, infirmity, or vice, to which a single man is subject, and from which a body of commons, either collective or represented, can be wholly exempt. . . . Whence it comes to pass, that in their results have sometimes been found the same spirit of cruelty and revenge, of malice and pride; the same blindness, and obstinacy, and unsteadiness; the same ungovernable rage and anger; the same injustice, sophistry, and fraud, that ever lodged in the breast of any individual.

"When a child grows easy and content, by being humored; and when a lover becomes satisfied by small compliances, without farther pursuits; then expect to find popular assemblies content with small concessions. If there could one single example be brought from the whole compass of history, of any one popular assembly who, after beginning to contend for power, ever sat down quietly with a certain share; or of one that ever knew, or proposed, or declared, what share of power was their due; then might there be some hopes that it were a matter to be adjusted by reasonings, conferences, or debates.

"A usurping populace is its own dupe, a mere under-worker, and a purchaser in trust for some single tyrant, whose state and power they advance to their own ruin, with as blind an instinct as those worms that die with weaving magnificent habits for beings of a superior order to their own.

"The people are much more dexterous at pulling down and setting up, than at preserving what is fixed; and they are not fonder of seizing more than their own, than they are of delivering it up again to the *worst bidder*, with their own into the bargain. For although, in their corrupt notions of divine worship, they are apt to multiply their gods; yet their earthly devotion is seldom paid to above one idol at a time, of their own creation, whose oar they pull with less murmuring, and much more skill, than when they *share the leading*, or even *hold the helm*."

It will be perceived by the style, that it is Dr. Swift that has been speaking; otherwise the reader might have been deceived,

and imagined that I was entertaining him with further reflections upon the short account previously given, in these letters, of the modern republics. There is not an observation here that is not justified by the history of every government we have considered. How much more maturely had this writer weighed the subject than M. Turgot! Perhaps there are not to be found in any library so many accurate ideas of government, expressed with so much perspicuity, brevity, and precision.